

Notice of Allowability

Application No.

09/764,178

Examiner

Andre Boyce

Applicant(s)

WHITESAGE, MICHAEL D.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Applicant's After-Final Amendment filed September 12, 2005.
2. ☒ The allowed claim(s) is/are 1,2,4-9,11-30,40 and 52-56.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☒ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☒ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


TARIQ B. HAFIZ
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600

DETAILED ACTION

1. The following is in response to Applicant's After-Final amendment filed September 12, 2005. Claims 1-30, 40-45, and 52-54 are pending.

Examiner's Amendment

2. An Examiner's Amendment to the record appears below. Should changes and/or additions be unacceptable to Applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.
3. Authorization for this Examiner's Amendment was given in a telephone interview with Alberto Amatong on September 30, 2005. The application has been amended as follows:

In the claims:

1. (Currently amended) A method of managing purchasing contracts between supplier entities for a common carrier and customer entities for the purchase of ticket products, said method comprising the steps of:
generating a ticket purchasing contract between a supplier entity and a customer entity, the purchasing contract being applicable to a plurality of contracted purchasing transactions that effect the purchase, by the customer entity, of a ticket on the common carrier for travel (ticketing transactions), the transaction being effected, at least partially, through a computerized system, said generating step including

defining a plurality of contract terms for the purchasing contract, each contract term being defined by a plurality of term attributes, wherein a contract term defines a purchasing obligation of the customer entity, [[and]]

storing a term data set of the term attributes (term attributes data set) associated with each contract term in a computer database[[:]] ,

collecting historical transaction data sets representing ticketing transactions by the customer entity;

identifying a proposed contract term having a set of term attributes;

identifying historical ticketing transaction data sets applicable to the proposed contract term by comparing contract term attributes with at least a portion of each historical ticketing transaction data set;

qualifying a contract term by forecasting the performance of the proposed contract term using, as input, at least a portion of each identified historical ticketing transaction data set, and qualifying the proposed contract term based, at least partly, on the forecasted performance;

assigning the contract term to a proposed contract; and

evaluating the proposed contract with a plurality of qualified contract terms;

collecting sets of ticketing transaction data [[relating to]] for a plurality of historical ticketing transactions;

storing the ticketing transaction data in at least one computer database;

identifying, among the population of stored ticketing transaction data sets, a plurality of the stored sets of transaction ticketing data as relating to a ticketing transaction under the purchasing contract (contract transaction data sets), by comparing the stored ticketing transaction data with term attributes of a contract term including executing a computer program to identify historical ticketing transactions as a contract transaction by comparing transaction data sets with the term attributes data set for a contract term, whereby the historical ticketing transaction is identified as a contract transaction when the transaction data set is identified with the term attributes of the contract term; and

generating a collection of contract transaction data sets by associating the transaction data set of each identified contract transaction with each term data set of a contract term with which the transaction is identified.

3. (Canceled)

4. (Currently amended) The method of claim 1, wherein the supplier entity and the customer entity have, associated therewith, a plurality of entity attributes, said method further comprising the steps of:

specifying entity data representing each of the entity attributes or a combination thereof; and

including the entity data in each term data set such that the contract transaction data set includes entity data.

6. (Currently amended) The method of claim 1, wherein the step of storing a term data set for each contract term includes selecting term attributes from the group of term attributes consisting of: supplier entity identifiers, customer entity identifiers, contract identifiers, contract term identifiers, term performance rules, term discount, term requirements, and combinations thereof.

7. (Currently amended) The method of claim 1, further comprising the steps of:

for each contract, specifying entity data including supplier entity data designating one or more individuals associated with the contract for the supplier entity, and customer entity data designating individuals associated with the contract for the customer entity; and

associating the entity data with each of the contract terms for the contract such that the contract transaction data sets generated include the entity data.

8. (Currently amended) The method of claim [[3]] 1, wherein the step of generating a collection of contract transaction data sets includes generating a contract transaction data set including a supplier entity identifier, a customer entity identifier, a contract identifier, and a contract term identifier.

9. (Currently amended) The method of claim [[3]] 1, wherein the step of collecting transaction data includes,

receiving, at one or more client stations, transaction data relating to a partial purchase transaction, wherein the partial purchase transaction embodies less than a whole portion of a predetermined individualized transaction for a product;

deriving an individualized transaction from at least one partial purchasing transaction, the individualized transactions being associated with an individualized transaction data set; and

storing the transaction data set for the individualized transaction in a computer database.

10. (Canceled)

11. (Currently amended) The method of claim [[10]] 1, wherein the step of collecting historical transaction data includes collecting historical transaction data from a plurality of distinct data sources.

12. (Currently amended) The method of claim [[10]] 1, wherein the step of collecting historical transaction data includes collecting historical transaction data in a plurality of data formats and converting each of the collected transaction data into historical transaction data sets in accordance with a common data format, the common

data format being defined by the data collected, the representation of the data, and the arrangement of the data in the data set.

13. (Currently amended) The method of claim [[10]] 1, wherein the step of qualifying a proposed contract term includes designating the proposed contract term as qualified upon determining that the forecasted performance satisfies a predetermined performance criteria.

18. (Currently amended) The method of claim 1, wherein the step of identifying a plurality of the stored sets of transaction ticketing data [[of the contracted transactions]] includes electronically marking each identified transaction data set with a unique contract term code and an entity code specifying [[of]] the supplier entity and the customer entity.

21. (Currently amended) In a method of managing purchasing contracts between at least one supplier entity for a common carrier and at least one customer entity, wherein the purchasing contract is applicable to ticket purchasing transactions for ticket products effected, at least partially, through a computerized system, a method of generating a ticket purchasing contract, said method comprising the steps of:

collecting transaction data [[relating to]] representing historical ticket purchasing transactions effected by the customer entity;

storing, in at least one database, a set of transaction data for each historical ticket purchasing transaction;

defining a plurality of proposed contract terms that define a ticket purchasing obligation of the customer entity;

defining term attributes associated with each proposed contract term and storing the term attributes as a term data set in a database;

executing a computer program to qualify each proposed contract term, including selecting a proposed contract term having a set of the stored term attributes;

identifying each transaction data set, among the population of stored ticketing transaction data sets, that satisfies the selected term attributes and is applicable to the proposed contract, by comparing the term attributes with the transaction data set, thereby generating a collection of contract transaction data sets;

forecasting a performance result of the proposed contract term using, as input, at least a portion of each transaction data set identified; and

qualifying the proposed contract term if the forecasted result satisfies a predetermined performance criteria; and

assigning a purchasing contract between the supplier entity and the customer entity, the purchasing contract having a plurality of qualified contract terms.

40. (Currently amended) A method of managing a purchasing contract between a supplier entity for a common carrier and a customer entity, the purchase contract being applicable to ticketing transactions for the purchase of tickets for travel, each of the ticketing transactions being associated with a ticket unit, said method comprising the steps of:

generating a ticket purchasing contract between a supplier entity for a common carrier and a customer entity including,

[[identifying a]] defining a plurality of contract terms, [[the]] a contract term [[having]] being defined by a plurality of term attributes and defining a purchasing obligation of the customer entity, [[and]]

storing the term attributes associated with each contract term as a term data set in a computer database[[;]] .

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collecting historical transaction data sets representing ticketing transactions by the customer entity,

identifying a proposed contract term having a set of term attributes,

identifying historical ticketing transaction data sets applicable to the proposed contract term by comparing contract term attributes with at least a portion of each historical ticketing transaction data set and electronically marking each identified transaction data set with a unique code associated with the contract term,

qualifying a contract term by, forecasting the performance of the proposed contract term using, as input, at least a portion of each identified historical ticketing transaction data set, and qualifying the proposed contract term based, at least partly, on the forecasted performance, and

assigning the contract term to a proposed contract:

collecting sets of ticketing transaction data [[related to]] for a plurality of historical ticketing transactions from a plurality of data sources;

storing a set of transaction data for each historical ticketing transaction in a computer database and in accordance with a common data format;

executing a computer program to identify historical ticketing transactions as contracted ticketing transactions (under the purchasing contract) by selecting at least a portion of the transaction data set for a transaction and comparing the selected portion with the term data set for a contract term, whereby the transaction is identified as a contracted ticketing transaction upon identifying the selected portion with a portion of the term data set; and

electronically marking each identified transaction data set with a unique code associated with the contract term thereby generating a collection of contract transaction data sets; and

executing a computer program to measure the performance of the contract term using, as input, at least a portion of the transaction data set for each identified contracted ticketing transaction.

52. (Currently amended) A computerized system for use in managing a purchasing contract for tickets for travel, between a supplier entity for a common carrier and a customer entity, the contract covering a plurality of contracted ticketing transactions effected, at least partially, through a computerized system, said system comprising:

a plurality of data storage systems storing (i) entity data specific to the supplier entity and entity data specific to the customer entity, (ii) multiple sets of term data, each set representing attributes of a contract term, including a term code, a contract code, and term definitions for identifying transaction data sets applicable to the contract term, and (iii) a plurality of transaction data sets, each set being identified with a contracted ticketing transaction

wherein a contract term is defined by term attributes and defines a purchasing obligation of the customer entity for tickets for travel and a contracted ticketing transaction is a transaction effecting a purchase, by the customer entity, of a ticket for travel on the common carrier under the purchasing contract;

a plurality of client stations for receiving transaction data sets, each data set relating to a purchasing transaction; and

a plurality of data processing systems communicable with said client stations and with said data storage systems, said data processing systems being configured

to collect and store [[each of]] said transaction data sets in said data storage systems; [[and]]

for each contract term, to compare at least a portion of said term data set with at least a portion of said transaction data set[[s]] so as to identify transaction data sets applicable to the contract term[[:]] and electronically mark each of said identified transaction data sets with a unique contract term code and an entity code, thereby generating a collection of contract transaction data sets, and

in a contract generating procedure,

to identify electronically marked historical ticketing transaction data sets applicable to a proposed contract term by comparing contract term attributes with at least a portion of each historical ticketing transaction data set;

to qualify a contract term by, forecasting the performance of the proposed contract term using, as input, at least a portion of each identified historical ticketing transaction data set, and qualifying the proposed contract term based, at least partly, on the forecasted performance;

to assign the contract term to a proposed contract; and

to evaluate the proposed contract with a plurality of qualified contract terms.

~~associating each of said identified transaction data sets with of said entity data and term data to generate a collection of contract transaction data sets.~~

55. (New) The system of claim 52, wherein each electronically marked transaction data set is electronically marked with a unique contract term code and an entity code specifying the supplier entity and the customer entity.

56. (New) The system of claim 55, wherein said data storage systems stores an SQL statement that describes each term and wherein said data processing system is further configured to generate an SQL statement to match transaction data sets with a contract term.

Reasons for Allowance

4. Claims 1, 2, 4-9, 11-30, 40, and 52-56 are allowed.
5. The following is an examiner's statement of reasons for allowance:

With respect to independent claims 1, 21, 40, and 52, none of the prior art of record, taken individually or in any combination, teach inter alia, collecting historical transaction data sets representing ticketing transactions by the customer entity;

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identifying a proposed contract term having a set of term attributes; identifying historical ticketing transaction data sets applicable to the proposed contract term by comparing contract term attributes with at least a portion of each historical ticketing transaction data set; qualifying a contract term by, forecasting the performance of the proposed contract term using, as input, at least a portion of each identified historical ticketing transaction data set, and qualifying the proposed contract term based, at least partly, on the forecasted performance; assigning the contract term to a proposed contract; and evaluating the proposed contract with a plurality of qualified contract terms.

The prior art references most closely resembling Applicant's claimed invention are Gillespie (US 2001/0034626), Webber, Jr. (USPN 6,167,378), and Lidow (US 2002/0184084).

Gillespie discloses projected airline travel data derived from recent historical travel data over a similar time period, including records containing city pair data, an airline identifier, number of flights booked or purchased for the city pair and the amount of airfare spent. Gillespie also discloses a series of calculations to determine each airline's fair market share of the customer's airline travel for each city pair. However, Gillespie does not disclose collecting historical transaction data sets representing ticketing transactions by the customer entity; identifying a proposed contract term having a set of term attributes; identifying historical ticketing transaction data sets applicable to the proposed contract term by comparing contract term attributes with at least a portion of each historical ticketing transaction data set;

qualifying a contract term by, forecasting the performance of the proposed contract term using, as input, at least a portion of each identified historical ticketing transaction data set, and qualifying the proposed contract term based, at least partly, on the forecasted performance; assigning the contract term to a proposed contract; and evaluating the proposed contract with a plurality of qualified contract terms.

Webber, Jr. discloses contract terms and conditions, that specify activities required to fulfill the obligations and terms and functions of the contracts identified by a standard or common identifier and stored in a database. However, Webber, Jr. does not disclose collecting historical transaction data sets representing ticketing transactions by the customer entity; identifying a proposed contract term having a set of term attributes; identifying historical ticketing transaction data sets applicable to the proposed contract term by comparing contract term attributes with at least a portion of each historical ticketing transaction data set; qualifying a contract term by, forecasting the performance of the proposed contract term using, as input, at least a portion of each identified historical ticketing transaction data set, and qualifying the proposed contract term based, at least partly, on the forecasted performance; assigning the contract term to a proposed contract; and evaluating the proposed contract with a plurality of qualified contract terms.

Lidow discloses reviewing the customer forecasts (wherein the forecast term is quantity), for consistency with contractual agreements and prior forecasts. However, Lidow does not disclose collecting historical transaction data sets representing ticketing transactions by the customer entity; identifying a proposed contract term

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having a set of term attributes; identifying historical ticketing transaction data sets applicable to the proposed contract term by comparing contract term attributes with at least a portion of each historical ticketing transaction data set; qualifying a contract term by, forecasting the performance of the proposed contract term using, as input, at least a portion of each identified historical ticketing transaction data set, and qualifying the proposed contract term based, at least partly, on the forecasted performance; assigning the contract term to a proposed contract; and evaluating the proposed contract with a plurality of qualified contract terms.

6. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.


-Notani (WO 00/17798) discloses range of forecasted demand for a product is determined at buyer computer.

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8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andre Boyce whose telephone number is (571) 272-6726. The examiner can normally be reached on 9:30-6pm M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz can be reached on (571) 272-6729. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


adb
October 2, 2005


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